

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

UNITED STATES OF AMERICA	:	PRISONER
	:	Case No.: 3:01-cr-289 (CFD)
vs.	:	
	:	
SCOTT KNOX	:	

RULING ON MOTION PURSUANT TO 28 U.S.C. § 2255

In October 2003, the petitioner, Scott Knox, filed a motion to vacate, set aside or correct his sentence pursuant to 28 U.S.C. § 2255. Several memoranda of law were then filed by the parties. On February 28, 2005, the Government filed an additional memorandum arguing that the petitioner's § 2255 motion was moot and should be dismissed because the petitioner had been discharged from incarceration. On April 29, 2005, the Court ordered the petitioner to file a response before May 20, 2005, explaining why his § 2255 motion should not be dismissed as moot. No response was received. Consequently, the petitioner's motion pursuant to § 2255 **[Doc. # 40]** is **DENIED** as moot, absent objection.¹ This ruling is without prejudice to the petitioner filing a motion to reopen within thirty days of the date of this ruling. Any such motion must explain why the petition is not moot given the petitioner's release from incarceration.

SO ORDERED, this 30th day of August 2005, at Hartford, Connecticut.

/s/ CFD
CHRISTOPHER F. DRONEY
UNITED STATES DISTRICT JUDGE

¹In his § 2255 motion, the petitioner recognized that "a lengthy litigation may render any relief moot, as he may be released before he could receive justice." (Petition, pg. 34).